

and skis, or flight operations with doors and/or windows removed or in an open position.

(c) For purposes of complying with part 34 of this chapter, any voluntary change in the type design of the airplane or engine which may increase fuel venting or exhaust emissions is an "emissions change."

[Amdt. 21-27, 34 FR 18363, Nov. 18, 1969, as amended by Amdt. 21-42, 40 FR 1033, Jan. 6, 1975; Amdt. 21-47, 43 FR 28419, June 29, 1978; Amdt. 21-56, 47 FR 758, Jan. 7, 1982; Amdt. 21-61, 53 FR 3539, Feb. 5, 1988; Amdt. 21-62, 53 FR 16365, May 6, 1988; Amdt. 21-63, 53 FR 47399, Nov. 22, 1988; Amdt. 21-68, 55 FR 32860, Aug. 10, 1990; Amdt. 21-70, 57 FR 41368, Sept. 9, 1992; Amdt. 21-73, 61 FR 20699, May 7, 1996; 61 FR 57002, Nov. 5, 1996]

#### **§ 21.95 Approval of minor changes in type design.**

Minor changes in a type design may be approved under a method acceptable to the Administrator before submitting to the Administrator any substantiating or descriptive data.

#### **§ 21.97 Approval of major changes in type design.**

(a) In the case of a major change in type design, the applicant must submit substantiating data and necessary descriptive data for inclusion in the type design.

(b) Approval of a major change in the type design of an aircraft engine is limited to the specific engine configuration upon which the change is made unless the applicant identifies in the necessary descriptive data for inclusion in the type design the other configurations of the same engine type for which approval is requested and shows that the change is compatible with the other configurations.

[Amdt. 21-40, 39 FR 35459, Oct. 1, 1974]

#### **§ 21.99 Required design changes.**

(a) When an Airworthiness Directive is issued under Part 39 the holder of the type certificate for the product concerned must—

(1) If the Administrator finds that design changes are necessary to correct the unsafe condition of the product, and upon his request, submit appropriate design changes for approval; and

(2) Upon approval of the design changes, make available the descriptive data covering the changes to all operators of products previously certificated under the type certificate.

(b) In a case where there are no current unsafe conditions, but the Administrator or the holder of the type certificate finds through service experience that changes in type design will contribute to the safety of the product, the holder of the type certificate may submit appropriate design changes for approval. Upon approval of the changes, the manufacturer shall make information on the design changes available to all operators of the same type of product.

[Doc. No. 5085, 29 FR 14567, Oct. 24, 1964, as amended by Amdt. 21-3, 30 FR 8826, July 24, 1965]

#### **§ 21.101 Designation of applicable regulations.**

(a) Except as provided in §§ 23.2, § 25.2, 27.2 and 29.2 and parts 34 and 36 of this chapter, an applicant for a change to a type certificate must comply with either—

(1) The regulations incorporated by reference in the type certificate; or

(2) The applicable regulations in effect on the date of the application, plus any other amendments the Administrator finds to be directly related.

(b) If the Administrator finds that a proposed change consists of a new design or a substantially complete redesign of a component, equipment installation, or system installation, and that the regulations incorporated by reference in the type certificate for the product do not provide adequate standards with respect to the proposed change, the applicant must comply with—

(1) The applicable provisions of this subchapter, in effect on the date of the application for the change, that the Administrator finds necessary to provide a level of safety equal to that established by the regulations incorporated by reference in the type certificate for the product; and

(2) Any special conditions, and amendments to those special conditions, prescribed by the Administrator to provide a level of safety equal to